

**Congress of the United States**  
Washington, DC 20515

November 24, 2021

President Joseph R. Biden  
The White House  
1600 Pennsylvania Avenue, NW  
Washington, DC 20500

Dear President Biden:

We write to express our concern regarding your November 17, 2021, letter to Federal Trade (FTC) Commission Chair Lina Khan that encouraged an investigation into oil and gas companies based on inaccurate allegations concerning retail gasoline prices. It is obvious that your request for an FTC investigation is an attempt to distract the public from soaring retail gasoline prices that are a consequence of several ill-advised energy policies implemented by your Administration.

Americans are struggling with record high inflation demonstrated by a 6.2 percent increase in the Consumer Price Index (CPI) from October 2020 to October 2021. Overall energy prices are up 30 percent over the same period. While your letter to Chair Khan acknowledges a three percent increase in gasoline prices over the past month, it is vital to note that gasoline prices have drastically increased since the start of your presidency. The nationwide average for retail gasoline prices has risen to \$3.41 up from \$2.39 at the time of your inauguration – nearly a 43 percent increase.

The cause for the dramatic gasoline price increase is largely due to your Administration's energy policies that have stifled our domestic energy industry, not unsubstantiated allegations of anti-consumer behavior. You revoked a cross-border permit for the Keystone XL pipeline during the first week of your presidency. There are concerns that your Administration will accede to unjustified demands to shut down the Enbridge 5 pipeline. The Department of the Interior continues litigation in its effort to stop oil and gas permits on federal lands. The Army Corps of Engineers recently has paused processing for several Clean Water Act Section 404 Nationwide Permits. Finally, there are several proposals in the Build Back Better Act that will place additional upward pressure on gasoline prices nationwide.

These policies have increased costs for energy producers, particularly domestic producers, with the inevitable result being higher gasoline prices for American consumers. Additional attacks on domestic energy producers will chill investment, add regulatory costs, and diminish American energy security. Unfortunately, your flawed response has been to further the United States'

reliance on foreign energy imports by pleading with the Organization of the Petroleum Exporting Countries (OPEC) to increase production.

Despite your substantive claims of an “unexplained large gap between the price of unfinished gasoline and the average price at the pump ...”, independent research shows that it is not uncommon for these price points to diverge over the past ten years and the recent disparity is well within normal ranges. Further, changes in retail gasoline prices typically take six weeks to account for changes in crude oil prices, with gasoline stocks providing a cushion for supply and demand disparities. That lag in price change has certainly been exacerbated by severe economy-wide disruptions to supply chains.

Your request for an FTC investigation into gasoline prices is nothing more than misdirection to avert the public’s attention from your Administration’s failed energy policies. The suggested antitrust investigation is an inappropriate response to market effects caused by government action. If your true intention is to lower consumer costs for American households at the gas pump, we encourage you to pursue a more effective approach by reversing these policies and empowering our domestic oil and gas industry to restore the energy independence that we recently enjoyed.

Sincerely,



Kelly Armstrong  
Member of Congress



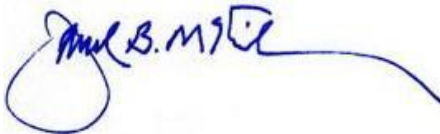
Scott Fitzgerald  
Member of Congress



Greg Pence  
Member of Congress



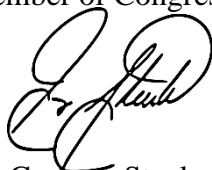
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